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February 27, 2009

Via ECFS Transmission

Ms. Marlene H. Dortch, Secretary Office of the Secretary Federal Communications Commission 445 12th Street, S.W., Suite TW-A325 Washington, D.C. 20554

> Re: EB Docket No. 06-36 BCE Nexxia Voice Services Corporation Annual 47 C.F.R. § 64.2009(e) CPNI Certification for 2008

Dear Ms. Dortch:

BCE Nexxia Voice Services Corporation, by its attorneys and pursuant to section 64.2009(e) of the Commission's rules, hereby submits its 2008 Customer Proprietary Network Information (CPNI) certification with accompanying statement.

Please contact me if you have any questions.

Respectfully submitted,

HOGAN & HARTSON, L.L.P.

Grace Kavádoy

cc: FCC Enforcement Bureau, Telecommunications Consumers Division Best Copy and Printing, Inc.

Enclosure

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2008

Date filed: February 27, 2009

Name of company(s) covered by this certification: BCE Nexxia Voice Services Corp.

Form 499 Filer ID: <u>826583</u>

Name of signatory: Mirko Bibic

Title of signatory: Vice President, Regulatory Matters

I, Mirko Bibic, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq*.

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed MI

BCE Nexxia Voice Services Corp.

Statement on CPNI Compliance

BCE Nexxia Voice Services Corp. ("the Company") is in full compliance with the Commission's CPNI rules, to the extent that those rules apply to the Company. The Company does not receive or have any access to end-user customers' CPNI, as defined in 47 U.S.C. § 222(h)(1) and 47 C.F.R. § 64.2003(h), and therefore there is no possibility of unauthorized release of CPNI.

The Company's business consists exclusively of providing connections between the network of its affiliate, Bell Canada (the leading Canadian telecommunications provider) in Canada and the networks of certain U.S. long distance telephone companies for traffic between the U.S. and Canada. Specifically, the Company carries international telephone traffic of other carriers between points of interconnection with those carriers within the United States and points of interconnection with Bell Canada at the U.S.-Canada border. The Company does not provide any service directly to end-user customers and does not receive or have access to any end-user customers' CPNI.¹

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The Company may receive carrier proprietary information ("CPI") from the carriers with which it interconnects. Consistent with 47 U.S.C. §§ 222(a) and 222(b), the Company carefully protects the confidentiality of such information. However, as the Commission has made clear, "CPI is different from CPNI. CPI, as used in section 222(b) of the Act, refers to proprietary information received or obtained 'from another carrier for purposes of providing any telecommunications service.' CPNI, on the other hand, refers to information regarding end-users' use of telecommunications services." *Joint Application by BellSouth Corp.*, et al., for Provision of In-Region, InterLATA Services In Georgia and Louisiana, 17 FCC Rcd 9018, ¶ 302 n.1165 (2002); see also Bright House Networks, Inc., v. Verizon California, Inc., 23 FCC Rcd 10704, ¶ 14 & n.42 (2008), aff'd sub nom. Verizon California, Inc. v. FCC, No. 08-1234 (D.C. Cir., Feb. 10, 2009) (addressing improper use of proprietary information from another carrier under § 222(b)). The Company understands that the rules in 47 C.F.R. §§ 64.2001-64.2011 address only safeguards in the use of CPNI, not CPI.